



**Section:** *Pupils*  
**Title:** *Student Admission*  
**Adopted:** *February 18, 2010*  
**Revised:**  
**First Reading:** *3.19.09*  
**Second Reading:** *4.16.09*

### **201.2 Student Admission**

The Board shall operate the schools of this District for the benefit of children who reside in the District and who are eligible for attendance. Except for specific conditions permitted by this policy or under law, only children who are legal residents of this District shall be permitted to attend schools operated by the District. While complying with its obligations to provide education to residents of this District and, where required by law, non-resident students, the Board seeks to provide assurance to District taxpayers that their financial contributions are utilized for the benefit of the children properly residing or placed within the District. Consistent with this policy, the Board adopts this Policy to ensure an appropriate procedure for the enrollment of children presented for enrollment.

Therefore, it is the policy of the Board that only school age persons legally residing within the District, children attending schools in the District under §1302, §1305, or §1306 of the School Code or other provisions of law are eligible for attendance. Accordingly the Board adopts this policy to comply with the provisions of §1302, §1305, and §1306 of the School Code and other provisions of law and to ensure a proper procedure for the enrollment of students.

Definitions associated with policy are as follows:

*Resident Student* - a child of school age (1) physically residing within the geographic limits of the District with his or her parent(s), natural or adoptive, or (2) an emancipated minor who physically resides within the geographic limits of the District.

Where the parents of a student reside in two (2) school districts, due to separation, divorce or other reason, the student can be enrolled in the district of the parent with whom the student lives the majority of the time, unless a court order or court-approved custody agreement specifies otherwise.

If parents share joint custody and the student's time is evenly divided between the parents, the parents can choose which of the two (2) school districts the student will attend for the school year.

If the parent enrolling a student is relying on a court order or custody agreement as the basis for enrollment, school staff will require the parent to provide a copy of the order or agreement.

*Student Residing with a District Resident* - a child of school age physically residing within the geographical limits of the District (1) with a District resident who is the guardian of that child, or (2) with a District resident, who has been delegated guardianship, keeps the child, which is not his or her own, in his or her home, supporting the child gratis as if the child were his or her own.

*Non-resident Student Placed in the Home of Resident* - a child of school age physically residing in the home of a resident of the District by order of the court or by arrangement with an association, agency, or institution having the care of neglected and dependent children, where such a resident is being compensated for keeping the child.

*Non-Resident Student Placed in an Institution* - a non-resident child of school age placed in a children's home, or other institution for the care and training of children located within the boundaries of the District.

*Tuition Paying Non-Resident Student* - a child of school age not residing within the geographical boundaries of the District, but attending District schools under a written agreement approved by the Board, between the parent(s) or legal guardian and the District to pay the prevailing tuition.

*Homeless Student* - a child of school age who lacks a fixed, regular and adequate nighttime residence and include the following (1) children who are sharing the housing of other persons due to a loss of housing, economic hardship, or similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement; (2) children who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; (3) children who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and (4) migratory children living in circumstances described in (1) through (3). This shall include unaccompanied homeless children not in the physical custody of a parent or guardian and children awaiting foster care placement.

*Pre-Adoptive Students* - a child of school age who resides with pre-adoptive parents who are receiving adoption assistance subsidies, pre-adoption foster payments, or other payment, such as Supplemental Security Income (SSI) or Transitional Assistance for Needy Families (TANF).

## **A. Procedure for Enrollment of Student**

When a student, other than a homeless child, is presented for enrollment within the District, the Parent, or person presenting the Student, shall be required to present the following documentation:

1. Proof of the Student's Age - Documentation of this may include the Student's birth certificate; baptismal certificate; notarized copy of birth certificate; copy of record of baptism that is notarized or duly certified and shows the date of birth; notarized statement from the parents or another relative indicating the date of birth; a valid passport; or a prior school record indicating the date of birth

2. Proof of the Immunizations Required by Law - Documentation of this may include the Student's immunization record; a written statement from the former school District or from a medical office that the required immunizations have been administered or that a required series is in progress; or verbal assurances from the former school District or a medical office that the required immunizations have been completed, with records to follow.
3. Proof of Residency or other evidence that the student is entitled to attend the District's schools - Documentation required for this shall be dependent upon the student's classification for enrollment and shall be as follows:

- a. **Resident Student**

Upon enrollment, parent must complete a Residency Affidavit. Families who are leasing within the District or living in a home with another District resident will be required to complete Residency Affidavits on a yearly basis. Failure to complete a Residency application will result in disenrollment of child from District. For students who are emancipated, the student must complete a Residency Affidavit and provide evidence to establish he or she is emancipated.

- b. **Student Residing with a District Resident**

When a resident of the District keeps a child, not his or her own, in his or her home and the resident of the District desires the child to attend District schools, the resident must first comply with the following requirements:

At initial enrollment, and each school year thereafter, the resident shall provide to the Superintendent or designee either (1) legal documentation of dependency or (2) guardianship, for example, (a) court order or (b) a sworn (notarized) statement that:

- 1.) the resident is a resident of the District;
- 2.) the resident is supporting the child gratis (without personal compensation or gain);
- 3.) the resident will assume all personal obligations for the child relative to school requirements; and
- 4.) the resident intends to keep the child continuously and not merely through the school term.

If the resident submits a sworn statement, the resident must submit at least one of the items from each of the following categories in support of the sworn statement.

- 1.) That the resident is a resident of the District:
  - ♦ Driver's license or Pennsylvania Department of Transportation identification card;
  - ♦ Pennsylvania Department of Transportation vehicle registration;

- ♦ Copy of state or federal program enrollment, for example, food stamps, SSI;
- ♦ Copy of paycheck stub with name and address of employee and employer;
- ♦ Copy of a utility bill; or
- ♦ Residency affidavit.

2.) That the resident is supporting the child gratis:

- ♦ Copy of completed IRS form transferring tax exemption of child to resident;
- ♦ Copy of federal or state tax form which lists the child as a dependent of resident;
- ♦ Copy of completed county form transferring child support payments to resident;
- ♦ Copy of completed state form notifying Department of Welfare of child's new residence.
- ♦ Copy of insurance policy / card / statement listing child as eligible for services;
- ♦ Copy of lease / rental agreement identifying child as a tenant; or
- ♦ Residency affidavit.

3.) That the resident will assume all personal obligations for the child relative to school requirements:

- ♦ Sworn statement by resident.

4.) That the resident intends to keep the child continuously and not merely through the school term

- ♦ Sworn statement by resident.

The sworn statement and residency affidavit shall be in a form substantially complying with those developed by the Superintendent or designee.

Upon fulfillment of the foregoing, the child may be enrolled.

**c. Nonresident Student Living in Facilities or Institutions**

A child who is an inmate of an institution for the care or training of children located within this District is not a legal resident of the District by such placement, but shall be admitted to the schools for the District, and a charge for tuition and any and all accompanying expenses shall be made in accordance with the statute.

**d. Nonresident Students Living with a District Resident**

Any child placed in the home of a resident of this district by a court or an agency of the government shall be admitted to the schools and shall receive the same benefits and be subject to the same duties as a resident child.

4. Parent Registration Statement - A sworn statement or affirmation from the parent, guardian or other person having control or charge of a student in a form substantially complying

with those developed by the Superintendent or designee stating whether the pupil was previously or is presently suspended or expelled from any public or private school for an act or offense involving weapons, alcohol or drugs, or for the willful infliction of injury to another person or for any act of violence committed on school property. If the student has been expelled or suspended for any of these acts or offenses, the statement shall provide the name of the school from which the student was suspended or expelled and the dates of the suspension or expulsion.

Should the student, at the time of enrollment, be in a period of expulsion for an act or offense involving a weapon, the District may assign the student to an alternative assignment or provide alternative educational services during the remainder of the period of expulsion.

5. Home Language Survey - All students seeking enrollment for the first time shall be given a home language survey in accordance with the requirements of the U.S. Department of Education's Office of Civil Rights. The student's enrollment shall not be delayed for the purpose of completing this form.

A student shall be enrolled no later than five (5) days after the student is presented for enrollment with the required documentation and, when possible, on the next business day after the student is presented for enrollment.

The District shall not inquire about the immigration status of a student as part of the enrollment process.

## **B. Enrollment Procedure for Homeless Students**

Homeless students actually living within the District are to be enrolled without delay and should be provided with the same services as any non-homeless student would be. No homeless student shall be denied enrollment due to the failure to provide the records normally required at enrollment, unless otherwise provided for in this policy.

In accordance with the student's best interest, a homeless student shall continue to be enrolled in his/her school of origin while s/he remains homeless or until the end of the academic year in which s/he obtains permanent housing. If a student is unaccompanied by a parent/guardian, the District liaison will consider the views of the student in determining where s/he will be enrolled.

Upon satisfactory proof of immunization, the selected school shall immediately enroll the student and begin instruction, even if the student is unable to produce records normally required for enrollment pursuant to District policies. However, the District may require a parent/guardian to submit contact information. If the student needs to obtain immunization(s) or medical records, the District shall immediately refer the student to the District liaison, who shall assist in obtaining necessary immunization(s) or medical records. The District liaison may contact the previous school for oral confirmation of immunization(s), and the school shall request records from the previous district, pursuant to Board policy.

If the District is unable to determine the student's grade level due to missing or incomplete records, the District shall administer tests or utilize appropriate means to determine the student's placement.

If a dispute arises over school selection or enrollment, the student shall be immediately enrolled in the school in which enrollment is sought, pending solution of the dispute. The parents/guardians shall be provided with a written explanation of the District's decision, their right to appeal and the procedures to use for the appeal.

### **C. Enrollment Procedure for Pre-Adoptive Student**

Pre-adoptive students shall be enrolled and shall be considered residents of the District if their pre-adoptive parent(s) reside within the District.

### **D. Procedure for Enrollment of Tuition Paying Non-Resident Student**

When a written agreement has been entered into between the parent(s) or guardian and the District under which the parent(s) or legal guardian agree to pay the prevailing tuition, the student shall be admitted to the schools and shall receive the same benefits and be subject to the same duties as a resident child.

### **E. Hearing Procedure**

Residents, parents, and/or guardians, as well as the District, may request a hearing as provided in this Policy to determine the residency of a child or legality of enrollment of child in the District.

Where the Superintendent or designee believes the evidence in support of the sworn statement is inconsistent, insufficient, or otherwise suspect for reasons that can be articulated, or where additional or subsequent information reasonably indicates the student may not be a proper legal resident of the District, the Superintendent or designee may request additional information or may hold a fact-finding hearing to obtain additional information.

Notice of a request for additional information or of a hearing shall be sent to the resident, parent(s), guardian, and/or other appropriate persons. Notice shall give the reason for the requested additional information, the type of information sought, and allow a reasonable time to provide such information.

Notice of a hearing shall timely inform the resident, parent(s), guardian, and/or other appropriate persons of the time and place of the hearing which are reasonably convenient to the parties, the reason for the hearing, the right to bring documents and witnesses and to be represented by counsel, and a brief description of the procedures for the hearing.

The hearing shall substantially comply with guidelines or administrative regulations developed by the Superintendent or designee in conformance with this Policy, including the following:

- ♦ Hearings shall be informal in nature.

- ♦ Hearings may be stenographically recorded at the requesting party's cost providing transcripts to the other party at the other party's costs.
- ♦ If a person authorized to administer oaths is present, witnesses may be sworn before providing evidence.
- ♦ Technical rules of evidence shall not apply.
- ♦ The presiding person shall have authority to control and conduct the hearing in an efficient and expeditious manner and may disallow irrelevant, duplicative, and impertinent evidence and arguments.

The presiding person shall issue a report and recommendation to the Superintendent, containing findings of fact, conclusions of law, and recommendations. The report should issue to all parties in advance of the next Board meeting or three (3) weeks after the hearing, whichever is greater.

The Board shall consider the report and recommendation. The Board shall have sole discretion whether to request additional evidence and whether any party to the hearing may make further presentations before the Board. The Board shall defer to the report's reasonable findings of fact and shall have plenary consideration of the report's recommendations.

**G. Student Illegally Enrolled As Resident Student**

In the event it is determined that any student enrolled in the District is not properly a legal resident of the District or a tuition-paying non-resident student, the student's natural parents, legal guardian(s), and/or any person submitting a sworn statement in accordance with this policy shall be responsible for the entire cost of the student's education while the student was illegally enrolled in the District. The cost of education shall be the current rate per day for elementary or secondary pupils, whichever applies, for each day that the student illegally or improperly attended a District school.

District forms used to fulfill the requirements of this policy shall contain a prominent notice regarding possible liability for education costs of a student illegally or improperly attending District schools.

Procedures and regulations necessary for the implementation of this policy on residency shall be adopted by the Board of School Directors, upon the recommendation of the administration and shall be in the form of an administrative rule.

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